

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

|                      |   |                   |
|----------------------|---|-------------------|
| GARRETT GRIFFIN,     | ) |                   |
|                      | ) |                   |
| Plaintiff            | ) |                   |
|                      | ) |                   |
| v.                   | ) | 2:12-cv-00121-JAW |
|                      | ) |                   |
| CO JOHN DOE, et al., | ) |                   |
|                      | ) |                   |
| Defendants           | ) |                   |

**RECOMMENDED DECISION**

On April 11, 2012, Plaintiff filed a complaint naming CO John Doe, CO Keller, and Major Francene Brenton as defendants. (ECF No. 1.) On that same day, plaintiff filed an application to proceed in forma pauperis (ECF No. 2) and a motion to appoint counsel (ECF No. 3). On April 13, 2012, I denied the motion to appoint counsel (ECF No. 4) and reserved ruling on the application to proceed in forma pauperis by establishing a deadline of May 4, 2012, for plaintiff to file a properly completed application. (ECF No. 5.) Copies of these orders were mailed to plaintiff at an incorrect address. This mailing was returned as undeliverable on April 23, 2012, and a second mailing was made to plaintiff at the Charleston Correctional Facility in Charleston, Maine, and was not returned as undeliverable. (ECF No. 6.) Because of the first mailing having been returned as undeliverable, I extended the deadline to June 6, 2012, for plaintiff to file a properly completed application to proceed in forma pauperis. (ECF No. 7.) A copy of this order was mailed to plaintiff at the Correctional Facility in Charleston, Maine, and was not returned an undeliverable.

As of today's date, there has been no communication from plaintiff. Accordingly, it is recommended that the Complaint be **DISMISSED** for plaintiff's failure to prosecute this action.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) (1993) for which *de novo* review by the district court is sought, together with a supporting memorandum, within fourteen (14) days of being served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

June 22, 2012

/s/ Margaret J. Kravchuk  
U.S. Magistrate Judge